

**Senate File 472 - Introduced**

SENATE FILE 472

BY BROWN

**A BILL FOR**

1 An Act relating to imposition of optional taxes for emergency  
2 medical services by counties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 422D.1, subsection 1, paragraph a,  
2 unnumbered paragraph 1, Code 2019, is amended to read as  
3 follows:

4 A Subject to the requirements and limitations of this  
5 chapter, a county board of supervisors may offer for voter  
6 approval any impose one of the following taxes or a combination  
7 of the following taxes:

8 Sec. 2. Section 422D.1, subsections 2, 3, and 4, Code 2019,  
9 are amended to read as follows:

10 2. a. ~~The taxes~~ A tax for emergency medical services shall  
11 only be imposed after ~~an election at which a majority of those~~  
12 ~~voting on the question of imposing the tax or combination of~~  
13 ~~taxes specified in subsection 1, paragraph "a", subparagraph~~  
14 ~~(1) or (2), vote in favor of the question~~ the board of  
15 supervisors adopts a resolution declaring emergency medical  
16 service to be an essential service within the county. However,  
17 ~~the a tax or combination of taxes specified in subsection 1~~  
18 shall not be imposed on property within or on residents of a  
19 benefited emergency medical services district under chapter  
20 357F. ~~The question of imposing the tax or combination of the~~  
21 ~~taxes may be submitted at the regular city election, a special~~  
22 ~~election, or the general election. Notice of the question~~  
23 ~~shall be provided by publication at least sixty days before the~~  
24 ~~time of the election and shall identify the tax or combination~~  
25 ~~of taxes and the rate or rates, as applicable. To be~~  
26 effective, the resolution declaring emergency medical service  
27 to be an essential service shall be considered and voted on  
28 for approval at two meetings of the board prior to the meeting  
29 at which it is to be finally approved by a majority of the  
30 board by recorded vote, as defined in section 331.101. Notice  
31 of the first meeting of the board at which the resolution is  
32 considered and voted on shall be published not less than sixty  
33 days prior to the date of the meeting in one or more newspapers  
34 that meet the requirements of section 618.14. The requirements  
35 for approval of the resolution or approval of the imposition of

1 a tax under this chapter may not be suspended or waived by the  
2 board.

3 b. ~~If a majority of those voting on the question approve~~  
4 ~~the requirements for adoption of the resolution are satisfied~~  
5 ~~and the board approves the imposition of the tax or combination~~  
6 ~~of taxes, the tax or combination of taxes shall be imposed as~~  
7 follows:

8 (1) A local option income surtax shall be imposed for tax  
9 years beginning on or after January 1 of the fiscal year in  
10 which the ~~favorable election was held~~ ordinance imposing the  
11 tax under section 422D.2 is adopted.

12 (2) An ad valorem property tax ~~shall~~ may be imposed for  
13 the fiscal year ~~in which the election was held~~ beginning after  
14 adoption of the resolution under this subsection.

15 ~~b.~~ c. Before a county imposes an income surtax as specified  
16 in subsection 1, paragraph "a", subparagraph (1), a benefited  
17 emergency medical services district in the county shall be  
18 dissolved, and the county shall be liable for the outstanding  
19 obligations of the benefited district. If the benefited  
20 district extends into more than one county, the county imposing  
21 the income surtax shall be liable for only that portion of the  
22 obligations relating to the portion of the benefited district  
23 in the county.

24 ~~3. Revenues received by the county from the taxes imposed~~  
25 ~~under this chapter shall be deposited into the emergency~~  
26 ~~medical services trust fund created pursuant to section 422D.6~~  
27 ~~and shall be used as provided in that section.~~

28 ~~4.~~ 3. Any tax ~~or combination of taxes~~ imposed shall under  
29 this chapter may be for a maximum period ~~of~~ not to exceed  
30 five consecutive years after adoption of the resolution under  
31 subsection 2 unless extended or renewed by the board at the  
32 expiration of the period of imposition. Extension or renewal  
33 of the period of time for imposition of a tax under this  
34 chapter shall be by resolution of the board, shall be limited  
35 to a period not to exceed five consecutive years, and shall

1 comply with the requirements for approval and imposition under  
2 subsection 2.

3 Sec. 3. Section 422D.3, subsection 1, Code 2019, is amended  
4 to read as follows:

5 1. A local income surtax shall be imposed January 1 of the  
6 fiscal year in which the ~~favorable election was held~~ ordinance  
7 imposing the tax is adopted for tax years beginning on or after  
8 January 1, and is repealed as provided in section 422D.1,  
9 subsection 4 3, as of December 31 for tax years beginning after  
10 December 31.

11 Sec. 4. Section 422D.5, Code 2019, is amended to read as  
12 follows:

13 **422D.5 Property tax levy.**

14 A county may levy an emergency medical services tax at  
15 the rate set by the board of supervisors ~~and approved at the~~  
16 ~~election as provided in section 422D.1~~, on all taxable property  
17 in the county for fiscal years beginning with the fiscal year  
18 ~~in which the favorable election was held~~ determined under  
19 section 422D.1, subsection 2, paragraph "b", subparagraph  
20 (2). ~~The reason for imposing the tax and the amount needed~~  
21 ~~shall be set out on the ballot.~~ The rate set by the board of  
22 supervisors shall not exceed one dollar per thousand dollars  
23 of assessed value of taxable property in the county. The rate  
24 shall be set so as to raise only the amount needed. ~~The levy is~~  
25 ~~repealed~~ county's authority to impose the levy for subsequent  
26 fiscal years shall be limited as provided in section 422D.1,  
27 subsection 4 3.

28 Sec. 5. Section 422D.6, subsections 1 and 2, Code 2019, are  
29 amended to read as follows:

30 1. A county ~~authorized to impose~~ imposing a tax under this  
31 chapter shall establish an emergency medical services trust  
32 fund into which revenues received from the ~~taxes~~ tax imposed  
33 shall be deposited. Moneys in the trust fund shall be used  
34 for emergency medical services. In addition, moneys in the  
35 fund may be used for the purpose of matching federal or state

1 funds for education and training related to emergency medical  
2 services.

3 2. A county may enter into **chapter 28E** agreements ~~with other~~  
4 ~~counties~~ in order to ensure adequate coverage of the county's  
5 service area.

6 Sec. 6. IMPLEMENTATION. This Act shall not affect the  
7 imposition and collection of taxes under chapter 422D in effect  
8 on July 1, 2019, and such taxes shall continue to be imposed  
9 and administered until the period of authority to impose such  
10 taxes in effect on July 1, 2019, expires.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 Code chapter 422D authorizes counties to impose a property  
15 tax levy, an income surtax, or a combination of both taxes  
16 within the county, excluding those areas within a benefited  
17 emergency medical services district under Code chapter 357F,  
18 to be used for emergency medical services, if the taxes are  
19 approved at election.

20 This bill strikes the requirement for an election to approve  
21 a tax authorized by Code chapter 422D and instead requires that  
22 the board of supervisors first adopt a resolution declaring  
23 emergency medical service to be an essential service within the  
24 county. The bill requires the resolution to be considered and  
25 voted on for approval at two meetings of the board prior to the  
26 meeting at which it is to be finally approved by a majority  
27 of the board by recorded vote. The bill establishes notice  
28 requirements and prohibits the requirements for approval of  
29 the resolution or approval of the imposition of a tax from  
30 being suspended or waived by the board. The bill limits the  
31 county to imposing either the income surtax or the property  
32 tax following adoption of the required resolution. The bill  
33 specifies that a tax under Code chapter 422D may be imposed for  
34 a period not to exceed five consecutive years after adoption  
35 of the resolution and requires an extension or renewal of the

1 period of time for imposition of a tax to comply with the  
2 requirements for original approval.

3 The bill imposes a rate limitation on the property tax that  
4 may be levied by a county of \$1 per \$1,000 of assessed value of  
5 taxable property in the county.

6 The bill strikes a limitation on the type of governmental  
7 entity that a county may enter into agreements with in order to  
8 ensure adequate coverage of the county's service area.

9 The bill does not affect the imposition and collection of  
10 taxes under Code chapter 422D in effect on July 1, 2019, and  
11 such taxes shall continue to be imposed and administered until  
12 the period of authority to impose such taxes in effect on July  
13 1, 2019, expires.